

**AN ORDINANCE WAIVING A REQUIREMENT FOR WOOD
PRIVACY FENCES ON PROPERTY LOCATED AT 1901
CRESTWOOD DRIVE IN THE CITY OF NORTH LITTLE
ROCK, ARKANSAS; DECLARING AN EMERGENCY; AND
FOR OTHER PURPOSES.**

WHEREAS, on March 11, 2014, a proposal for the new Crestwood Elementary School located at 1901 Crestwood Drive was reviewed and approved by the North Little Rock Planning Commission (7 yes; 1 abstain; 1 absent) with a requirement to provide 8-foot wood privacy fences around the west, north and east property lines; and

WHEREAS, a request has been made on behalf of the North Little Rock School District, in partnership with the Overbrook Neighborhood Association, seeking a waiver of the fencing requirement (see letter from Taggart Architects of North Little Rock attached hereto as Exhibit "A").

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That a waiver of the Planning Commission requirements to provide 8-foot wood privacy fences around the west, north and east property lines of Crestwood Elementary School located at 1901 Crestwood Drive in the City of North Little Rock is hereby granted, said property being more particularly described as follows:

Lot 9, Block 14, Lakewood Addition to the City of North Little Rock, Pulaski County, Arkansas. (See map attached hereto as Exhibit "B".)

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that waiver of the Planning Commission requirement for 8' wood privacy fencing at the school as provided for herein is not detrimental to the surrounding area, will allow safe and easy access by neighborhood children to the school's grounds and is immediately necessary in order to insure the proper and orderly growth of this land and the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health,

safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

SPONSOR:

Joe A. Smith
Mayor Joe A. Smith *egc*

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	11:59	A.M.	_____	P.M.
By	<u>Jason Carter, City Atty</u>			
DATE	<u>2-2-16</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>B. J. [Signature]</u>			



January 29, 2016

Mr. Shawn Spencer - Director
North Little Rock Planning Department
City Services Building
120 Main Street
North Little Rock, AR 72114

RE: Crestwood Elementary – Perimeter Fencing Waiver

Dear Mr. Spencer,

The North Little Rock School District, in partnership with the Overbrook Neighborhood Association, is asking for a variance of the Ordinance that requires a solid buffer between Single Family Housing zoning uses and the Elementary School zone uses. They are asking the City to waive the requirement of the perimeter wood fence in its entirety.

The Crestwood Elementary School is located in the heart of the Overbrook Neighborhood. The Association has been given access privileges by the District to use the field as part of their POA. In fact, they maintain the upkeep and maintenance of the field. The field is located just north of the Elementary School.

The School District and the Association would like to maintain this shared usage and partnership. The current perimeter wood fence that has been reviewed by the City as part of the Site Plan Review would preclude this joint usage and accessibility to the POA. In addition, the elementary school children use this field as an access between their homes that surround the property and the school.

On behalf of the District, I ask that the City will consider this waiver and not require a perimeter fence at Crestwood Elementary.

Sincerely,

TAGGART / Architects

Bram Keahey, AIA, LEED AP BD+C
TAGGART / Architects
501-681-3073

PARTNERS

JERRY E. CURRENCE, A.I.A.
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501.758.7443 / phone
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EXHIBIT
"B"

Waive fence requirements



Date: 1/28/2016

Public Hearing #2016-4

